

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BANY NYUON,

Defendant.

8:20CR187

**ORDER ON APPEARANCE FOR
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on November 23, 2022 regarding Petition for Offender Under Supervision [88]. Michael Hansen represented the defendant. Kelli Ceraolo represented the government. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The defendant requested a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The preliminary hearing is scheduled before U.S. Magistrate Judge Michael D. Nelson in Courtroom No. 6, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 10:30 a.m. on November 29, 2022

The government moved for detention based upon risk of flight and danger. The defendant requested a detention hearing which was held. The court finds that the defendant failed to meet his burden to establish by clear and convincing evidence that he will not flee or pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6); 18 U.S.C. § 3143(a)(1). The government's motion for detention is granted as to risk of flight and danger and the defendant shall be detained until further order of the Court.

The defendant shall be committed to the custody of the Attorney General or designated representative for confinement in a correctional facility and shall be afforded a reasonable opportunity for private consultation with defense counsel. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for an appearance in connection with a court proceeding.

IT IS SO ORDERED.

Dated this 23rd day of November, 2022.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge